

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

MARLON JACKSON, SR.	§	PLAINTIFF
	§	
v.	§	Civil No. 1:09cv756-HSO-JMR
	§	
COCA-COLA BOTTLING COMPANY	§	
UNITED, INC., WAL-MART STORES	§	
EAST, L.P., and JOHN DOES 1	§	
THROUGH 3	§	DEFENDANTS

FINAL JUDGMENT

BEFORE THE COURT is Defendant Coca-Cola Bottling Co. United, Inc.'s Motion to Dismiss [19], filed on May 14, 2010, in the above-captioned cause. Defendant Wal-Mart Stores East, L.P., has joined in the Motion. See Joinder [21]. The Court, after a full review and consideration of Defendant's Motion to Dismiss [19], the related pleadings on file, and the relevant legal authorities, finds that in accord with its Memorandum Opinion and Order entered herewith,

IT IS, ORDERED AND ADJUDGED, that Defendant's Motion to Dismiss [19] is **GRANTED IN PART AND DENIED IN PART**, and that this cause be, and hereby is, **DISMISSED WITHOUT PREJUDICE**.

SO ORDERED AND ADJUDGED, this the 2nd day of November, 2010.

s/ Halil Suleyman Ozerden
HALIL SULEYMAN OZERDEN
UNITED STATES DISTRICT JUDGE